

**ANNUAL LANDOWNERS MEETING  
MAY 9, 2019 @10:00 A.M.**

The annual public meeting of the Landowners of the Fellsmere Water Control District was held at the office of the District 109 N. Willow Street, Fellsmere at 10:00 a.m., Thursday May 12, 2016, pursuant to public notice published in the Vero Beach Press Journal on April 22, 2019 and April 29, 2019. The meeting was called to order by the Secretary of the Board of Supervisors, Joyce Hertel.

She welcomed everyone to the 100<sup>th</sup> Annual Landowners Meeting.

Present were and Frank Sakuma from SDS., Inc., Michael Monroe, Jeff Bolling, Richard Carnell, Michael O'Haire, Marvin Carter, George Simons, Rodney Tillman and Joyce Hertel.

Frank Sakuma was elected temporary chairman and Joyce Hertel temporary secretary of the meeting, whereupon they assumed the duties of their offices.

Joyce reported representation of 17,580 acres present.

Upon motion duly made, seconded and carried, Chairman Frank Sakuma and Secretary Joyce Hertel were made permanent officers of the meeting.

**Notice of Landowner's Meeting**

Notice is hereby given to all it may concern that the Annual Meeting of the Landowners of the Fellsmere Water Control District will be held at the office of the District 109 N. Willow Street, Fellsmere, Florida Thursday May 9, 2019 at 10:00 a.m. At such meeting, one Supervisor will be elected. Each owner shall be entitled to one vote in person or by proxy in writing, duly signed for each acre of land owned by him in said District. The Department of Environmental Protection, at any such meeting, may represent the state, and shall have the right to vote for Supervisors or upon any matter to come before said meeting to the extent of acreage owned by the state in such District, provided such acreage is subject to assessment to water control district, which vote may be cast by any person designated by said Department.

Guardians may represent their wards, executors, administrators & personal representatives may represent estates or deceased persons and private corporations may be represented by their officers or duly authorized agents. The owners and proxy holders of District acreage who are present at a notice meeting shall constitute a quorum for the purpose holding such election. If a person decides to appeal any decision made by the Board, with respect to any matter considered at such meeting or hearing, she/he will need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is

to be based. Anyone who needs a special accommodation for this meeting may contact the District's office at (772)571-0640 at least 48 hours in advance of meeting. There will be a meeting of the Board of Supervisors immediately following adjournment of the Landowners Meeting.

Board of Supervisors  
Richard Carnell  
Mike Monroe  
Jeff Bolling

The Secretary stated that said call had been published according to law in the Vero Beach Press Journal and that she had received affidavit of publication, and the District Attorney Michael O'Haire reviewed the affidavit.

Upon motion duly made, seconded and unanimously carried, reading of the minutes of the previous Landowners Meeting of May 10, 2018 were waived as copies were circulated and adopted with no corrections noted. Joyce then read the roll call of the Landowners presented as follows:

Personal Acres

Marvin Carter	1
Mike Monroe	1
Richard Carnell	1
Jeff Bolling	3
Total individuals in person	6

Richard Carnell Proxy for:

• Fellsmere Joint Venture	15,551
• Bernard Egan Groves	2,008
Fellsmere Estates	14.98
TOTAL	17,580

TOTAL Acres 17,580

Chairman then stated the meeting was now in order to proceed with the nomination and election of one Supervisor for a three year term, and called for nominations.



Richard Carnell was nominated for a three year term. There being no further nominations made, the Secretary was instructed on motion duly made, seconded and unanimously carried to cast the entire vote of 17,580 acres in behalf of Richard Carnell for a three (3) year term.

**Oath of Supervisor**

State of Florida

Indian River County

I, Richard Carnell do hereby solemnly swear that I will honestly, faithfully and impartially perform the duties involving upon me in office as Supervisors of Fellsmere Water Control District to which office I have been elected, and that I will not neglect any of the duties imposed upon me, Chapter 6458 of laws of Florida (acts of 1913), and all amendments thereto.

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Signature

Sworn to and subscribed before me this 9<sup>th</sup> day of May 2019.

Personally Known

Produced Identification

State of Florida

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Notary Public

My commission expires

The annual report of the Treasurer was given by Rodney Tillman. It was reported to the Landowners that the financial affairs of the District are in order. Mr. Tillman stated that according to the audit by Kmetz, Etwell, Graham and company CPA the District is in reporting compliance with Chapter 120.553.C of the rules of the Auditor General. Mr. Tillman brought to the Boards attention, the Statement of Revenue and Cash Disbursement" noting there was one posted on the Bulletin Board and in the District's master file and website. This report has been approved and sent to the proper agencies. The report was ordered filed and spread upon the minutes.

**Attorney's Report:** Michael O'Haire stated that FDOT lawsuit at I-95 and Main Canal is still underway. There is now a date set for October.

**FELLSMERE WATER CONTROL DISTRICT  
ANNUAL ENGINEER'S REPORT  
MAY 2019**

We are pleased to submit this annual engineer's report as a yearly summary of the engineering related activities involved in the operations and functions of the Fellsmere Water Control District (F.W.C.D.), as required under Chapter 298 of the Florida Statutes.

## CLIMATOLOGICAL REVIEW

For the fourth consecutive year, hurricane activity began prior to the official June 1<sup>st</sup> start of the season, with Tropical Storm Alberto forming on May 25. Alberto made landfall in northern Florida and traveled as far north as the Great Lakes as a tropical depression. The 2018 hurricane season was the first since 2008 to have four named storms active at the same time (Florence, Helene, Isaac and Joyce).

Overall activity in the Atlantic basin in 2018 was above average, with fifteen named storms, eight hurricanes, two major hurricanes and at least \$33.3 billion in damages. This compares to the long-term averages of 12 named storms, six hurricanes, and three major hurricanes. The initial NOAA forecast outlook for the 2018 season called for 10-16 named storms, 5-9 hurricanes and 1-4 major hurricanes. One unnamed tropical depression also formed in 2018.

In terms of Accumulated Cyclone Energy (ACE), which measures the combined strength and duration of tropical storms and hurricanes, preliminary data indicate that the 2018 season was above normal. As a comparison, the 2017 season's ACE was somewhat more than double that of the 2018 season.

Storm Name	Dates	Storm Category at Peak Intensity	Max Wind [mph]	Min. Pressure [mbar]
Alberto	May 25 – 31	Tropical Storm	65	990
Beryl	July 4 – 16	Category 1 Hurricane	80	991
Chris	July 6 – 12	Category 2 Hurricane	105	970
Debby	August 7 – 9	Tropical Storm	50	1000
Ernesto	August 15 – 18	Tropical Storm	45	999
Florence	August 31 – September 17	Category 4 Hurricane	140	939
Gordon	September 3 – 8	Tropical Storm	70	997
Helene	September 7 – 16	Category 2 Hurricane	110	966
Isaac	September 7 – 15	Category 1 Hurricane	75	993
Joyce	September 12 – 19	Tropical Storm	50	997
Eleven	September 22 – 23	Tropical Depression	35	1007
Kirk	September 22 – 29	Tropical Storm	60	998
Leslie	September 23 – October 13	Category 1 Hurricane	90	969
Michael	October 7 – 12	Category 4 Hurricane	155 (250)	919
Nadine	October 9 – 13	Tropical Storm	65 (100)	997
Oscar	October 27 – 31	Category 2 Hurricane	105 (165)	970

See attached U.S. National Weather Service 2018 North Atlantic Hurricane Tracking Chart.



Fortunately, the F.W.C.D. and the East Coast of Florida did not suffer any destructive forces of a hurricane during the 2018 hurricane season.

A below average rainfall during the past summer and fall wet season has continued through the current “dry” season.

Rainfall intensity and distribution varies significantly across the limits of the district in any given storm event. The district does not currently maintain or observe rain gauges to determine rainfall dispersement or intensity within its limits. The 2018 total yearly rainfall observed and recorded at the Vero Beach Municipal Airport was 40.51 inches. According to the National Weather Service records, this amounts to nearly ten inches below the normal average rainfall of 51.87 inches for this area.

Please find attached to this report the 2018 Daily Rainfall reported by N.O.A.A., as observed at the Vero Beach Municipal Airport.

Measured monthly rainfall, at the District office, during 2018 is as follows:

January	– 1.21”
February	– 1.0”
March	– 0.30”
April	– 2.12”
May	– 6.10”
June	– 6.77”
July	– 4.02”
August	– 4.15”
September	– 5.43”
October	– 0.5”
November	– 2.46”
December	– 1.85”

Total annual rainfall measured at the District office is estimated to be 35.9 inches for 2018. This amounts to approximately 16”+/- below the long term annual average rainfall (52”) for the area.

Observed rainfall during the current dry season through the first three months of 2018 are: January – 4.33”; February – 1.56” and March – 1.67”.

During this past winter, F.W.C.D. had a couple of mornings with scattered light frost but did not suffer any freeze warnings or freeze events.

#### **MAY 10, 2018 – ANNUAL LANDOWNERS AND BOARD OF SUPERVISORS MEETING**

At the May 10, 2018, Annual Landowners Meeting, Mike Monroe was nominated and re-elected to the Board of Supervisors for a three year term.

At the following Board of Supervisors Organizational Meeting, the following officials were elected/appointed to serve for the following year:

President	Richard Carnell
Vice-President	Mike Monroe
Secretary	Joyce Hertel
Treasurer	Rodney Tillman
Deputy Secretary	Dawn Cosner
Deputy Treasurer	Judy Warga

## **FELLSMERE WATER CONTROL DISTRICT ANNUAL PERMIT SUMMARY**

Sixteen (16) permit applications (Numbers 187-18 through 202-19) have been submitted since last year's annual engineer's report.

Three (3) of the permit applications are for City of Fellsmere projects, including the South Regional Lake, The Boys and Girls Club, and the 100<sup>th</sup> Lane Paving Project; the balance of the permit application are for new culvert driveway crossings, utility crossing permits, or for outfall/discharge culverts into district canals.

A resubmittal for the proposed Fountains of Fellsmere project was received by the F.W.C.D. Engineer on May 5, 2017; however, the applicant has not addressed the preliminary comments and the project remains on hold.

The North Regional Stormwater Lake, which is a City of Fellsmere project has been constructed and is operational now. The project is an in-line lake (meaning the ditch widens into a lake) along the North Bypass Ditch and will provide additional runoff water storage and discharge attenuation for the North Bypass Ditch watershed.

Another on-going permit process is for the modification of the **Florida Organic Aquaculture** site plan. No progress has been made in the last year. The original permit was issued in 2013 and the site work was started. The F.O.A. applicant/developer submitted a permit modification request with plans and calculations prepared by a new Engineer, The Milcor Group, Inc. Multiple submittals and review comments from the F.W.C.D. occurred over several years. The permit modification has not been issued, in part due to the lack of an adequate response to the F.W.C.D. concerns about the potential discharges into the F.W.C.D. system of the salt water used in the shrimp raceways. **The FWCD adopted a policy of requiring a land owner approval letter before the issuance of a FWCD permit.** A new owner has purchased the land leases and is currently reorganizing the project's operations, financing, and efforts to obtain a land owner approval letter.

**Parabel** recently completed the first phase of their duck weed production facility just south of Ditch 23 and west of Park Lateral. Based on the review of the as-built survey the site work was not completed as per the approved permit plans. Parabel attended the November Board of Supervisor's meeting and requested additional time to address the non-compliances.

A permit application from the F.D.O.T. from 2012, pertaining to replacement of the I-95 Bridge over the Main Canal continues to remain open pending resolution of disputed design and construction issues. The F.W.C.D. requires additional fill and rock rip rap slope stabilization treatment for the transition sections of the realigned F.W.C.D. maintenance road. This requirement is to maintain a safe maintenance road under the bridge for F.W.C.D. The contractor has demobilized without constructing the required rip rap. Therefore, the as-built condition is not acceptable and through the F.W.C.D. Attorney, the matter continues through a legal process.

The City of Fellsmere held a pre-application meeting with representatives from the **Teraviva Company**. Carter Associates attending the meeting as representatives of the FWCD and provided permit requirements



regarding FJV drainage connections to the District system.

### CITY OF FELLSMERE (C.O.F.)

The City of Fellsmere continues to develop strategies and implement improvements to its street and drainage infrastructure, including paving and drainage, flood mitigation grants, and developing a city-wide drainage swale plan for driveway culverts. The City has established a Stormwater Utility to aid in funding the projects.

The C.O.F. Stormwater Management Utility Program primarily addresses the secondary drainage system within the City and water quality issues mandated by other jurisdictional agencies, but does not overlap or duplicate the responsibilities of the F.W.C.D. in the maintenance and operations of the District's primary Lateral and Sub-lateral drainage ditches, and flood protection functions.

The City of Fellsmere is currently implementing parts of the Fellsmere Master Stormwater Plan, which was adopted in 2012. The Master Plan includes building regional lakes to provide flood storage and water quality treatment. The City of Fellsmere has obtained grant funding to construct the South Regional Lake. This project is currently in the construction phase. As noted in the Annual Permit Summary above, the North Regional Lake is currently completed and is in the operating phase.

**The CDBG Phase 6 Paving and Drainage Improvement Project was completed** by the end of 2018. This project includes the paving and drainage improvements north of CR 512, along Wyoming and South Carolina Avenues and Hickory and Pine Streets. Also, a drainage pipe connection from the Ditch 14 (New York) to the North Bypass Ditch was included in the project. This pipe system includes a flap gate and will allow water to be diverted to the larger North Bypass ditch during significant rainfall events.

The City of Fellsmere received a grant to construct a sports field known as the “**Meadows field Athletic Park**” west of the Carter Hall Subdivision. The parcel of land on which the project is located provided flood plain storage before it was filled to construct the athletic fields. The compensating flood plain storage will be provided by constructing a flood storage area on nearby City owned parcels under the Meadows field Park Project phase 2.

The City has obtained grant funds to construct a section of **the Rails to Trails Project**. This section is located along the North Bypass Canal from Babcock Street on the east to a bridge across the Park Lateral Canal on the west and is currently in the design and permitting phase.

The City has obtained grant funds for paving and drainage improvements to the **100<sup>th</sup> Lane and 100<sup>th</sup> Place Project**. The project is located immediately east of Willow Street and will discharge into the Sub-lateral 12.

### ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (S.J.R.W.M.D.)

The construction of the new levee along the eastern boundary of S.J.R.W.M.D. property acquired from Fellsmere Joint Venture (FJV) was completed in 2017. The levee is part of the “Fellsmere Water Management Area” which also is now completed. This levee will be the east levee of the newly created stormwater management area and will serve as the new western levee of the F.W.C.D. The S.J.R.W.M.D. has agreed to provide a levee certification for the completed section of the levee. To date, the levee certification has not been provided.



The S.J.R.W.M.D. Governing Board has budgeted monies for a dispersed water storage pilot project within the F.W.C.D. The land owner, FJV, and the S.J.R.W.M.D. staff have completed contract negotiations and the dispersed water storage project is currently in the permitting phase. When constructed a pump will redirect water from flowing east to the Indian River Lagoon and discharge it into an above ground impoundment located west of Lateral U. The goal is to provide significant reductions in the volume of water being discharged to the Indian River Lagoon. This results in two benefits, improvement to the water quality of the Lagoon, and secondly additional fresh water is introduced into the St Johns River.

## WATER QUALITY IN MAIN CANAL

Representative Water Quality sampling for the F.W.C.D. are taken from the Main Canal quarterly (approximately every three months) at the County Road 507 (Babcock Road) bridge.

Currently, and for some time now, the sampling, field analyses, and laboratory analyses are conducted by Pace Analytical Services, Inc. out of Pompano Beach, Florida. The discussion of water quality for this report is based on samples taken during: the 4th quarter of 2017 through the 3rd quarter of 2018.

The F.W.C.D. water quality results for phosphorus, from the November 2017 (0.13 mg/l) and the August 2018 (0.2 mg/l) samples exceed the acceptable Florida Nutrient Numeric Threshold Limits (0.12 mg/L). The February 2018 sample, however, indicate the results are within the limit, at 0.068 mg/L.

The Nutrient Numeric Threshold Limit for Total Nitrogen in the Florida Peninsula region is a maximum concentration of 1.54 mg/l. This past year, the quarterly samples were below the Threshold Limit.

## ANNUAL ENGINEERING RELATED ACTIVITIES

Engineering time during this past year continues to be expended on the non-compliance design and construction issues of the F.D.O.T. Interstate 95 Bridge across the F.W.C.D. Main Canal. This matter currently remains unresolved and Carter Associates, Inc. continues to assist F.W.C.D. and legal counsel in on-going litigation.

Attendance at the public/stakeholders forums conducted by the F.D.E.P as scheduled or by watching the webinar recordings to represent and assist the F.W.C.D. in addressing Basin Management Action Plan (BMAP) mandates to reduce the pollution currently being discharged into the Indian River Lagoon. The pollution reduction allocations to be assigned to F.W.C.D. are currently under review and will take effect in the adoption of the second five year phase of the Best Management Action Plan to be adopted in 2019. The software model used to calculate the loads has been under review by the FDEP and stakeholders over the last two (2) years. The F.D.E.P. has notified stakeholders that the pollution allocations will be necessary due to the less than desirable sea grass inventories obtained recently.

F.W.C.D. Board of Supervisors authorized Carter Associates to prepare a permit manual. On November 12, 2015, the Board approved the permit manual and is posted on the F.W.C.D. website where it is available for landowners and developers to review.

On-going annual engineering activities include the following:



- 1) Attend all regularly scheduled meetings of the Board of Supervisors and maintain a District Engineering file.
- 2) Remain on daily call to provide technical assistance and information to District personnel, supervisors, landowners and other governmental and public agencies concerning the operations, functions and regulations of the District.
- 3) Continue to provide technical permit review assistance to the District, and project consultants, in the submission and issuance of all permit applications to assure compliance with F.W.C.D. policies and requirements.
- 4) Attendance at pre-construction meetings for significant site plan or subdivision type projects in the F.W.C.D. Also, provide limited construction inspection to check compliance with F.W.C.D. permit conditions and to minimize the discharge of turbidity from construction sites.
- 5) Review the quarterly stormwater quality analysis from the District.
- 6) Monitor and review the actions and activities of other jurisdictional agencies and related organizations that may affect the operations and functions of the District.
- 7) Review records and files in preparation of the Annual Engineer's Report as required under Florida Statutes – Chapter 298.

Rodney Tillman, the FWCD Superintendent for many years officially retired on January 2019. The FWCD Board of Supervisors have entered into a contract with Special District Services to provide some of the District's administrative duties along with Joyce Hertel, another long term District employee who continues to manage the daily office duties.

Once again, we are pleased to report that the District staff, under the direction, guidance and support of the District's Board of Supervisors, continues to maintain and protect the works of improvement of the District, and to provide the landowners within the District a cost-effective level of service for flood protection.

Respectfully submitted,

CARTER ASSOCIATES, INC.

By: \_\_\_\_\_  
George Simons, P.E. District Engineer  
Fellsmere Water Control District  
May 8, 2019  
Florida Registration #40437  
C.O.A. / L.B. #205

The Annual Engineer's report George Simons CAI, by motion duly made, seconded and unanimously approved, as submitted was ordered filed and spread upon the minutes.

The Annual report of Board of Supervisors, was unanimously deferred to the report given by the Engineer,

Chairman then stated the meeting was now in order to proceed with the nomination and election of one Supervisor for a three year term, and called for nominations.

### Statement of Net Assets September 30

<b>Assets</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
Cash collateralized	\$719,652	\$611,462	\$ 885,273
Capital Assets	<b>79,516</b>	<b>91,900</b>	<b>99,500</b>
Total assets	79,168	702,692	\$ 984,773
Deferred outflows of pension earnings	124,038	140,147	128,558
<b>Liabilities</b>			
Accounts Payable	12,664	14,026	12,432
Noncurrent net pension liability	287,757	298,744	
Deferred inflows of pension earnings	<b>36,095</b>	<b>16,650</b>	6,358
<b>NET position</b>			
Net Invested in capital assets	79,516	91,230	99,500
Unrestricted, reported in:			
Governmental Activities	207,174	122,189	136,286
Designated for contingencies	<u>300,000</u>	<u>300,000</u>	<u>590,000</u>
<b>TOTAL Net Assets</b>	<b>586,690</b>	<b>513,419</b>	<b>825,786</b>

### **Statement of Revenues, Expenditures, and Changes in Fund Balance-General Fund**

	<b>General Fund</b>		
<b>Revenues</b>	<b>2018</b>	<b>2017</b>	<b>2016</b>
Taxes, net of discounts	612,831	\$268,776	268,845
Interest		1,070	954
Other income	3,380	9,822	7,235
<b>TOTAL REVENUE</b>	<b>616,211</b>	<b>279,668</b>	<b>277,034</b>
<b>Expenditures</b>			
Current operating:			
• Aquatic Weed Control	71,642	55,959	141,894



• Ditch Maintenance	119,789	107,764	101,713
• General Administrative	351,509	387,915	362,178
<b>Total Expenditures</b>	<b>542,940</b>	<b>555,073</b>	<b>605,785</b>
Net Decrease in Fund Balance	73,271	(275,405)	(328,751)
Fund Balance beginning of year	513,419	872,841	<u>1,201,592</u>
Fund Balance end of year	586,690	\$ 597,436	872,841

#### **Annual Report of the Supervisors:**

The Board deferred its' report to that information included in the Engineers Report filed above.

The Landowners meeting adjourned at 10:14 a.m. and proceeded into the Supervisors Meeting.

#### **Annual Supervisors Meeting May 9, 2019**

A public meeting of the Fellsmere Water Control District was held at the office of the District 109 N. Willow Street, Fellsmere, Florida at 10:00 a.m. Thursday May 9, 2019, pursuant to public notice published in the Vero Beach Press Journal.

Present were Supervisors: Richard Carnell, Mike Monroe and Jeff Bolling.

Also present were Frank Sakuma, Michael O'Haire, Marvin Carter, George Simons, Rodney Tillman and Joyce Hertel.

Motion was made by Richard Carnell and seconded by Mike Monroe that the Minutes of March 14, 2019 were approved as emailed.

The Election of Officers is as follows:

President Richard Carnell 3 year left

Vice President Mike Monroe 2 year left

Supervisor Jeff Bolling 1 year left

Secretary Joyce Hertel

Treasurer/Superintendent Rodney Tillman

Deputy Secretary Dawn Cosner

Deputy Treasurer Judy Warga

The Appointment for the ensuing year was:

District Engineer will be George Simons Principle and his Engineer firm will be Carter Associates.

District Attorney will be Michael O'Haire, and his firm being Law Offices O'Haire, Quinn, Candler and Casalino Chartered.

Special District Services, Inc., Frank Sakuma, District Administrator

### **Employment Agreement with Attorney**

(Chapter 298.18 F.S.)

Mr. Michael O'Haire agrees to undertake representation of the Fellsmere Water Control District on an Annual Basis for a monthly retainer of \$450.00 and other services billed at the rate of \$500.00 per hour, must be pre approved. This retainer will cover attendance at meetings and will assure that no-conflicting employment is undertaken by Michael O'Haire, all services performed by his firm.

This agreement will be in affect from May 2019 - May 2020.

Accepted May 9, 2019

Accepted May 9, 2019

\_\_\_\_\_  
President  
Corporate Seal

\_\_\_\_\_  
Michael O'Haire

Attest: \_\_\_\_\_ District Secretary  
Joyce Hertel

### **Employment Agreement with Engineer Rate Schedule**

(Chapter 298.20 F.S.)

George Simons of Carter Associates agrees to undertake representation of the Fellsmere Water Control District on an annual basis for a monthly retainer of \$400.00 other work at a rate of:

Engineer (Principal)	\$150.00 per hour
Engineer (Sr. Consultant)	140.00 per hour
Engineer I	140.00 per hour
Engineer II	125.00 per hour
Engineer III	115.00 per hour
Engineer IV	100.00 per hour
Engineer V	90.00 per hour
CAD/GIS Tech I	115.00 per hour
CAD/GIS Tech II	110.00 per hour
CAD/GIS Tech III	105.00 per hour
CAD/GIS Tech IV	95.00 per hour
CAD/GIS Tech V	85.00 per hour
Surveyor (Principal)	150.00 per hour
Surveyor (Sr. Consultant)	140.00 per hour
Surveyor I	140.00 per hour
Surveyor II	130.00 per hour
Surveyor III	100.00 per hour
2-Man Survey Crew	130.00 per hour



3-Man Survey Crew	140.00 per hour
4-Man Survey Crew	150.00 per hour
Administrative Staff	50.00 per hour
Inspector	62.50 per hour
Recording and permit fees	cost plus 10%
Materials	cost
Travel	IRS Standard rate
Drone (Aerial Survey)	150.00 per hour
Sub consultant	cost plus 10%
Postage-long distance calls-Shipping	Cost
Blue prints	.333 sf.
Mylar	1.75 sf.
Photocopy 8.5x11	.15 ea
Photocopy 8.5x14	.25 ea
Photo copy 11x17	.35 ea
Color Copies 8.5x11	1.00 ea
Color Copies 8.5x14	1.25 ea
Color Copies 11x17	1.50 ea
Color Copies 24x36	\$5.00 ea

Note: Hourly rates are (2X) double the above rates for legal proceedings, ie Depositions, trials, hearings. Preparation time will be at standard rate.

All work authorizations not to exceed \$6,000 per year without approval of the Board of Supervisor's.

This retainer will cover attendance at meetings.

This agreement will be in affect from May 2019 to May 2020.

Accepted May 9, 2019

Accepted May 9, 2019

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President

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George Simons/Principal, Carter Associates

Corporate seal

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Joyce Hertel

Secretary

**Employment Agreement Special District Services, Inc.,**

Special District Services agrees to undertake representation of the Fellsmere Water Control District on an Annual Basis of \$20,000 per year and for a monthly retainer of \$1,650.00. This

retainer will cover attendance at meetings and will assure that no-conflicting employment is undertaken by Special District Services.

This agreement will be in affect from May 2019 - May 2020  
Accepted May 9, 2019 Accepted May 9, 2019

\_\_\_\_\_  
President  
Corporate Seal

\_\_\_\_\_  
Special District Services, Inc.

Attest: \_\_\_\_\_ District Secretary  
Joyce Hertel

The Repositories for the Funds of the District are P.N.C, Oculina Bank.

**RESOLUTION:**

At a regular meeting of the Board of Supervisors of the Fellsmere Water Control District held on May 9, 2019, the following resolution was unanimously adopted by the board;

WHEREAS, Fellsmere Water Control District holds an money market account with PNC Bank and would like to open a checking to write checks for general expenses incurred by the District;

WHEREAS, several District Members are listed on the account and have authority to write checks;

WHEREAS, the District is required to change some of the signatories on said account;  
WHEREAS, THE District needs signatories on account, the following individuals are to be named new signatories to account:

Michael Monroe, Jerry R. Tillman, Jeff Bolling, Frank Sakuma and Joyce Hertel.

RESOLVED, that Michael Monroe, Jerry R. Tillman, Jeff Bolling Frank Sakuma and Joyce Hertel shall be signatories on the checking account.

**Attorneys report:**  
Michael deferred to the report in the Landowners Meeting.

**Engineer's Report:**  
George asked if there were any questions regarding his Engineer's Report:



*At this time*, the Resolutions were presented for signatures by the Board of Supervisors. The final Resolution to be signed was the Non-ad Valorem Assessment

## NON AD VALOREM RESOLUTION

WHEREAS, BE IT RESOLVED THAT  
THE BOARD OF SUPERVISORS OF FELLSMERE WATER CONTROL DISTRICT;

### Resolution

There is hereby levied for the year of 2019-2020, a Non-Ad Valorem Assessment of the rate of \$12.50 per acre against all land in the Fellsmere Water Control District located westerly of Lateral U and County Road 512 and a Non Ad Valorem Assessment of the rate of \$ 29.00 per acre on all lands located easterly of Lateral U in order to maintain and preserve the ditches, drains and drainage works of this District and to repair and restore the same whenever needed, as well as, for the purpose of defraying the current expenses of this District. The said Non-Ad Valorem shall be equal and uniform in amount upon each acre of land assessed separately westerly of Lateral U/ County Road 512 and separately east of Lateral U/ County Road 512 and the minimum Non-Ad Valorem Assessment shall be not less than a one acre rate established above the minimum Maintenance tax shall apply to any one parcel separately assessed.

BE IT FURTHER RESOLVED, that when said Assessment is so levied or extended and assessment by the Property Appraiser of Indian River County, he shall certify the same to the Tax Collector of Indian River County Florida who is directed to demand and collect the Non-Ad Valorem Assessment as levied and to make return of such tax to the District, as provided by law, and,

BE IT FURTHER RESOLVED THAT, a certified copy of this Resolution shall be furnished to the Property Appraiser of Indian River County, Florida, and to the Tax Collector of Indian River County, Florida.

Resolution adopted at the Fellsmere Water Control District Board of Supervisors meeting May 9, 2019.

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Richard Carnell

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Mike Monroe

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Jeff Bolling

**Treasurer Report**  
**May 9, 2019**

As of March 31, 2019, the Checking account balance is

**\$533,906.96**

Money Market Balance is

\$457,705.35

March 31, 2019 available funds

\$ 991,612.31

[Change below](#)

Rodney reported that the affairs of the District are the same as reported in the Landowners meeting. Rodney recommends that Kmetz, Etwell, Graham (K.N.E.G.) CPA be appointed the auditors for the next years audit. Upon motion duly made and seconded KNEG, CPA are the auditors for the next years audit.

Rodney presented to the Board of Supervisors a Budget reflecting a \$12.50 west apportionment assessment rate and \$29.00 east apportionment assessment rate for FY 2018-2019.

Motion duly made by Jeff Bolling and seconded by Mike Monroe that the non ad-valorem apportionment assessment rate will be \$12.50 per acre for the west and \$29.00 for the East apportionment assessment rate for the land located in Fellsmere Water Control District.

Fellsmere Water Control District  
**BUDGET**  
2019-2020

Acct #	Description	Amount	
			Affected accounts
3100	Tax Revenue	\$ 553,475.00	
	Less Tax		
3101	Discounts		
3200	Interest Income		
3600	Revenue, Other		
	Total Revenue	\$ 553,475.00	\$ 553,475.00
	<b>EXPENSE</b>		
4002	Aerial Spraying	\$ 37,322.00	
4003	Mechanical Contract	\$ 40,000.00	
4004	Canal and Ditch Spraying	\$ -	
4005	Water Testing	\$ 1,210.00	
	Total Contract Services	\$ 78,532.00	\$ 78,532.00
4031	Equipment R & M	\$ 2,070.00	
4032	Supplies	\$ 880.00	
4033	Gas & Oil	\$ 20,000.00	
4036	Insurance	\$ 2,000.00	
	Total Chemical Control	\$ 24,950.00	\$ 24,950.00



4063	Rodeo	\$ 17,000.00	
4067	Invert Blend	\$ 1,200.00	
4068	Chemicals Misc.	\$ 9,800.00	
	Total Chemicals Used	\$ 28,000.00	\$ 28,000.00
4111	Labor Heavy Equipment Operator	\$ 49,000.00	
4121	Payroll Taxes	\$ 3,800.00	
4122	State Retirement	\$ 3,800.00	
4123	Workers Compensation	\$ 1,900.00	
4124	Health Insurance, Life	\$ 9,900.00	
4131	Equipment Repair & Maintenance	\$ 50,000.00	
4132	Supplies	\$ 4,500.00	
4133	Gas & Oil	\$ 6,000.00	
4136	Insurance	\$ 3,000.00	
4137	Transportation	\$ 4,000.00	
	Total Ditch Maintenance	\$ 135,900.00	\$ 135,900.00
5001	Salaries & Wages	\$ 70,000.00	
5006	Payroll Taxes	\$ 7,000.00	
5007	State Retirement	\$ 8,000.00	
5008	Workers Compensation	\$ 2,500.00	
5009	Health Insurance, life	\$ 34,183.00	
5013	Legal & Professional	\$ 85,000.00	
5014	Insurance	\$ 20,000.00	
5037	Transportation	\$ 10,000.00	
5053	Property Appraiser	\$ 1,800.00	
5074	Property Taxes	\$ 800.00	
5075	Sundry	\$ 500.00	
5076	Licenses, Permits	\$ 1,500.00	
5077	Memberships	\$ 6,500.00	
5078	Advertising	\$ 500.00	
5082	Maintenance Bldg & Grounds	\$ 19,500.00	
5083	Utilities	\$ 2,000.00	
5086	Telephone	\$ 7,350.00	
5090	Office Supplies	\$ 8,960.00	
	Total General, Administration	\$286,093.00	\$ 286,093.00
	Total Expenses		\$ 553,475.00
	NET (revenue) Expense		\$ -

Mr. Tillman presented and read the following resolutions and asked the Board for their approval:

## FIXED COMPENSATION RESOLUTION

Whereas, the Board of Supervisors of Fellsmere Water Control District are required by Chapter 298.20 F.S. to Fix Compensation for work and employees, therefore the supervisors adopt the following compensation schedule for work and employees to be in effect from the Supervisors meeting in May 2019 until the following Supervisors Meeting in May 2020, at which time it can be reviewed and updated:

NOW THEREFORE BE IT RESOLVED THAT:

a. Supervisors are not compensated

b. Treasurer is not compensated:

Be it further resolved that the bond amount of \$5,000 is set for the Treasurer and the Travelers Casualty and surety company of United States is hereby approved.

c. Engineer Retainer \$400.00 per month, Senior Engineer 150.00 per hour, junior engineer 145.00 per hour, Secretary \$45.00 per hour, survey crew 143.00 per hour not to exceed 6,000 per year without approval from Board. A specific engineer rate schedule is in the file.

d. Attorney Retainer of \$450.00 per month, all other \$500.00 per hour. Legal Assistants range from \$85.00 to \$150.00 per hour: Reimbursement of the firm for all cost advanced and expenses incurred that are directly related to the performance of the legal services undertaken. There include the cost of investigations, filing, etc.

e. Auditor

Not to exceed \$9,200 per year without Board of Supervisors Approval.

f. Superintendent

Salary \$55,000 to 75,000 per year

g. Secretary/Bookkeeper

\$14.00 to \$30.00 per hour 40 hour week

h. Equipment Operator

1. \$15.55 to \$20.00 per hour 40 hour week

2. \$ 9.45 to \$13.00 per hour 40 hour week

i. Aquatic Applicator

\$10.00 to \$15.00 per hour 40 hour week

j. Labor Truck driver

\$10.00 to 15.00 per hour 40 hour week

BE IT FURTHER RESOLVED THAT ALL DISTRICT EMPLOYEE AND PAYROLL POLICIES ARE ADOPTED.

Signed: by the Secretary of the District this 10<sup>th</sup> Day of May 2018.

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Joyce Hertel District Secretary

Fixed Compensation Resolution



Whereas, the Board of Supervisors must Fix Compensation for work and employees (Chapter 298.20 F.S.) Relating to Employee Benefits and Payroll policies.

Now therefore, be it resolved that the employee Benefit and Payroll policies as provided at date of hiring and as located in District employee Personnel file will emended for physical year 2018-2019.

May 9, 2019

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Richard Carnell

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Michael Monroe

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Jeff Bolling

### **Treasurer Bond Resolution**

Whereas, the Treasurer is required by (Chapter 298.16 and Chapter 298.17F.S.) to give bond in an amount fixed by the Board of Supervisors and the Supervisors are to approve the surety of the Treasurers bond.

Now therefore, be it resolved that, the Bond of the Treasurer of the District be fixed at the amount of \$5,000. The surety of the bond number 70089834 is with the CNA Insurance Company, Bond Term 5-20-18- 5-20-21 and remains in force until cancelled by either the principal (Jerry R. Tillman) the oblige (Fellsmere Water Control District).

May 9, 2019

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Richard Carnell

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Michael Monroe

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Jeff Bolling

### **Mileage Resolution**

Whereas, the Board of Supervisors of Fellsmere Water Control District under the General Provisions of Chapter 112 F.S. may grant the use of privately owned vehicles for official use in lieu of publicly owned vehicles or common carriers, and

Whereas, the Board of Supervisors under the General provision hereby fixes the mileage rate for privately owned vehicles at the federal standard mileage rate that is provided in Chapter 112 at the current rate of \$.55 cents per mile and such District shall increase the per mile rate as the federal rate does for official travel  
by District employees. This will take effect October 1, 2007.

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Richard Carnell

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Michael Monroe

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Jeff Bolling

### **District Benefits and Payroll policies**

**Group Insurance:**

Will be covered by the Blue Cross Blue Shield of Florida or similar such company as Board selects. The plan is a comprehensive major medical plan with \$250.00 deductible for single coverage. Eligibility is six months of full employment.

**Employee contribution:**

- A. employee coverage is \$2.00 per week
- B. Family is \$5.00 per week.

**Aflac Insurance Policy:**

Aflac coverage is voluntary by each individual contributions will be deducted by employee request bi-weekly.

**Life insurance:**

**Vision Insurance:**

**Prescription Drug benefits:**

Covered generic drugs are \$15.00 deductible, all other covered drugs \$20.00 and \$35.00 deductible.

**Dental Insurance:**

\$50.00 deductible provided subject to cost review each year.

**FI Retirement System Employee Contribution:**

- 1. 3% of gross PR before taxes

**Vacation:**

After 1 year of employment	5 working days
After 2 years of employment	10 working days
After 7 years of employment	15 working days
After 12 years of employment	20 working days

Vacation time must be approved by management. After 12 years of employment, five (5) working days must be taken each quarter per year or is forfeited by employee unless extension is granted by the Board of Supervisors or Superintendent. For purposes of termination, retirement or resignation, vacation pay for unused days cannot exceed a total of 20 days in the year the employee leaves district employment.

Any vacation earned but not taken annual employment anniversary date is forfeited by the employee unless an extension is granted by the Board of Supervisors or Superintendent.

Holidays 12 days



Presidents Day  
Good Friday  
Memorial Day  
Independence Day  
Labor Day  
Thanksgiving Day (2 days)  
Christmas Eve and day  
New Year's Day

**Floating day** at employees discretion six months after continuous employment) Employee must work the day prior to and the day subsequent to be paid for any holiday.

Approved vacation will count as a work day for the purpose of this policy.

Payroll period: fulltime

2 weeks Monday thru Sunday Payday every other Friday

Normal Hours 7:30 a.m. to 4 pm

Monday thru Friday

1 week part time

Overtime Policy

The District as a general policy will pay overtime. The following hours of labor shall be deemed to be overtime hours:

- 1) All hours over forty (40) per work week
- 2) All off schedule work

Overtime hours will be paid except as otherwise provided for herein at one and one half ( $\frac{1}{2}$ ) times the regular straight time hourly rate.

Work on second rest day;

A) Nothing in this policy shall be construed as requiring the District to work an employee on both of the employee's rest days.

B) When an employee is required to work on any two (2) consecutive rest days, all hours worked on second rest day thereafter shall be paid for at double the straight-time hourly rate until, such time that the employee has either observed rest day off or works back into the employee's normal schedule

Call out prearranged overtime

When an employee is required to report for work at a time other than the employee's regular work schedule, it shall be considered:

A call out if the employee has less than twelve (12) hours notice, or

- 1) prearranged overtime if employee has twelve (12) hours or more notice

- a. On call-out the employee shall be allowed actual time required for traveling from employees home to the job and the actual hours worked shall be allowed.
- b. Any employee called out before the employee has had eight (8) consecutive hours office duty since the end of the employee's last scheduled work period will be paid at the overtime rate for all hours worked thereafter until the employee has had eight (8) consecutive hours off duty.

#### Work on Holidays

All hours worked on a holiday as observed by the District shall be paid for at double the straight time hourly rate.

#### Sick leave:

All employees, after one (1) year of continuous service shall be entitled to one and a quarter ( $1\frac{1}{4}$ ) working days paid sick leave per month up to a maximum of fifteen (15) working days per year. All or any remaining portions of unused sick leave days shall be accumulated from year to year until a maximum of ninety (90) days has been reached. For the purpose of compensation at retirement, resignation or dismissal shall not be greater than ninety (90) days. The employee shall advise the District office in writing or by phone before the end of the first day of such absence; otherwise he/she forfeits his/her right to paid sick leave unless it can be shown that it was not possible for him/her to give such notice or cause such notice to be given. Time spent by an employee during a period when he/she is served from the active payroll, due to termination, layoff or unauthorized leave of absence shall not constitute service for the purpose of acquiring or obtaining sick leave benefits. Sick pay will not be paid on holidays, Saturdays, or Sundays even if the employee was scheduled to work. In the application of this sick leave rule, the employer will require evidence of sickness being bonafide in the form of a written statement from a physician if from a physician if the sickness is over 3 days or 24 hours per week (Monday thru Friday). If there is not a physicians written statement the maximum sick leave paid per week will be 3 days.

#### Bereavement Leave:

All employees with six months of continuous service shall be entitles to paid leave of absence to attend funerals. Three (3) days will be granted for immediate family members. For the purpose of this policy, immediate family members will be defined as the employee's spouse, children, mother, father, sister, brother, mother-in-law, and father-in-law. The day of the funeral will be the last paid day of leave.

One (1) day will be granted for other family members. For the purpose of this policy other family will be defined as the employee's sister in law brother in law aunt, uncle or grandparents. The day of the funeral will be paid day of leave.



Salary review Annual in May each year, to take effect in October.

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Richard Carnell

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Michael Monroe

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Jeff Bolling

**Supervisor's Comments:**

**Public Comments:** No Comments

A motion was made Mike Monroe and seconded by Jeff Bolling to adjourn this meeting. Meeting adjourned at 11:35 A.M.

The Next Board meeting will be July 12, 2018 at 10:00 A.M.

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Richard Carnell  
President

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Joyce Hertel  
District Secretary